

**Judge Berman** UNITED STATES DISTRICT COURT

Southern

District of

New York

BODEGA INVESTMENTS, LLC, By And Through  
LOUIS P. KREISBERG, Its Tax Matters Partner

**SUMMONS IN A CIVIL ACTION**

V.

UNITED STATES OF AMERICA

08 CIV 4065  
CASE NUMBER:

TO: (Name and address of Defendant)

Michael B. Mukasey, Attorney General of the United States  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530-0001

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Kostelanetz & Fink, LLP  
7 World Trade Center  
New York, New York 10007  
Attn: Brian C. Wille

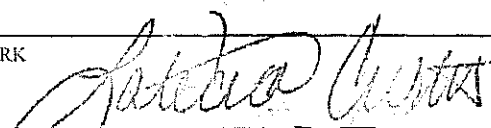
an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

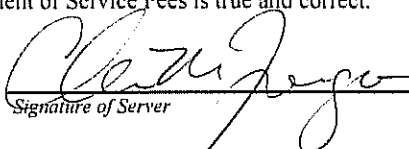
APR 30 2008

CLERK

DATE

(By)  DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 4/30/2008	
NAME OF SERVER (PRINT) Christopher M. Ferguson	TITLE Attorney	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input checked="" type="checkbox"/> Other (specify): Service on the United States of America was effected by serving Attorney General Michael B. Mukasey by Certified Mail to the address on the Summons pursuant to FRCP 4(i)(1)(B)		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL \$0.00
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>5/7/2008</u> Date</p> <p style="text-align: center;"> Signature of Server</p> <p style="text-align: center;">Kostelanetz &amp; Fink, LLP 7 World Trade Center, New York, New York 10007 Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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Sent To: Michael B. Mukasey - AG, US  
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 City, State, ZIP+4: Washington, DC 20540